

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ORDER

IT IS HEREBY ORDERED that Defendant/Counterclaim Plaintiff Cequel Communications, LLC d/b/a Suddenlink Communications' ("Suddenlink") First Amended Answer and Counterclaims (Doc. No. 19) is deemed filed as of this date.

IT IS FURTHER ORDERED that Plaintiff C-Cation's Motion to Dismiss under Fed.R.Civ.P. 12(B)(6) and Motion to Strike under Fed.R.Civ.P. 12(B)(1) (Doc. No. 17) are **DENIED** without prejudice.

IT IS FURTHER ORDERED that Suddenlink's Motion for Extension of Time to Respond to C-Cation's Motion to Dismiss and Motion to Strike (Doc. No. 20) is **DENIED** as moot.

Dated this 16th day of December, 2010.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE